

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

SEAN T. HEALEY : BK No. 01-12418
Debtor : Chapter 7
:
MARTIN J. PESKIN, Individually :
and as Trustee of the Martin J. :
Peskin, D.D.S. Ltd. Pension Plan :
Plaintiff :
v. : A.P. No. 01-1117
SEAN T. HEALEY :
Defendant :

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**ORDER GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND
DENYING DEFENDANT'S CROSS MOTION FOR SUMMARY JUDGMENT**

This matter was heard on the parties' Cross Motions for Summary Judgment. Upon consideration of the written arguments and the oral arguments made on May 26, 2004, and for the reasons argued by the Plaintiff on the record on May 26, 2004, and in his written arguments, Document Nos. 94 and 112, which we adopt and incorporate herein by reference, the Plaintiff's Motion for Summary Judgment (Document No. 93) is GRANTED and the Defendant's Cross Motion for Summary Judgment (Document No. 111) is DENIED.

Enter judgment consistent with this Order.

Dated at Providence, Rhode Island, this 16th day of August, 2004.



Arthur N. Votolato
U.S. Bankruptcy Judge